

PROB 12
(Rev 02/94)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Criminal Action No. CR06-58 |
| |) | |
| Frank C. Simmons, |) | |
| |) | |
| Defendant. |) | |

Petition on Probation and Supervised Release

COMES NOW Angelica Lopez Probation Officer of the Court presenting an official report upon the conduct and attitude of Frank Simmons, who was placed on supervision by the Honorable Joseph R. Irenas, sitting in the court at New Jersey on the 1st day of February 2002, who fixed the period of supervision at four years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows: 1) the defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance; 2) the defendant shall submit to drug treatment, on an outpatient or inpatient basis, if directed by the U.S. Probation Office; 3) the defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office; 4) the defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon request of the U.S. Probation Office; and 5) the defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here; if lengthy write on separate sheet and attach)

Standard Condition #1: The defendant shall not commit another federal, state, or local crime during the term of supervision.

Evidence: On August 8, 2007, a Criminal Complaint was signed by U.S. Magistrate Mary Pat Thyng, and alleged that on or about August 7, 2007, in the District of Delaware, the defendant Possessed with Intent to Distribute over 500 Grams of a Mixture of Substance Containing Cocaine, a Violation of 21 U.S.C. § 841 (a)(1) and (b)(1)(B).

PRAYING THAT THE COURT WILL ORDER... the issuance of a warrant for the arrest of Frank C. Simmons, so he may be brought before the Court for a hearing on the alleged violations of his term of supervised release.

ORDER OF COURT

So ordered this 11th day
of October 2007.

Sheila L. Roberts
U.S. District Court Judge

I declare under penalty of perjury the foregoing is true and correct,

Angelica Lopez
U.S. Probation Officer

Executed on October 11, 2007

Place Wilmington, Delaware